

**HAWAII STATE**

**HOUSE OF REPRESENTATIVES**

**REGULAR SESSION OF 2011**

***MINI JOURNAL***

***FLOOR REMARKS TO BE INSERTED***

**THIRTY-FIFTH DAY**

**MARCH 22, 2011**

**OFFICE OF THE CHIEF CLERK**

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## THIRTY-FIFTH DAY

Tuesday, March 22, 2011

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 12:10 o'clock p.m., with Vice Speaker Manahan presiding, after which the Roll was called showing all Members present with the exception of Representatives Har and M. Oshiro.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Fourth Day was deferred.

## INTRODUCTIONS

At 12:13 o'clock p.m. Representative Coffman requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:15 o'clock p.m.

The following introductions were made to the Members of the House:

REMARKS DELIVERED: Rep. Chang  
Rep. Marumoto

## ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 289) was announced by the Clerk and the following action taken:

H.R. No. 289, entitled: "HOUSE RESOLUTION HONORING "PAPA" FRED PEREIRA OF THE WAIANAE BOXING CLUB," was offered by Representative Awana.

Representative Awana moved that H.R. No. 289 be adopted, seconded by Representative Chang.

Representative Awana introduced the founder of the Waianae Boxing Club, 'Papa' Fred Pereira who was seated on the Floor of the House, and commended him for being a coach, mentor and role model to the many youth in the community.

Representative Awana also introduced friends seated in the gallery: Coach Blane Yoshida of the East Oahu Boxing Club; and boxer, Mr. Presley Salas of the Waianae Boxing Club.

Representative Chang also commended Coach Fred Pereira for his efforts and accomplishments in the sport of boxing, and for inspiring champions both in the ring, and out.

The motion was put to vote by the Chair and carried, and H.R. No. 289 was adopted, with Representatives Har and Thielen being excused.

The following resolution (H.R. No. 290) was announced by the Clerk and the following action taken:

H.R. No. 290, entitled: "HOUSE RESOLUTION COMMENDING AND CONGRATULATING JALEE FUSELIER ON REPRESENTING HAWAII AS MISS HAWAII 2010, AND COMMENDING AND CONGRATULATING THE PRUDENTIAL SPIRIT OF COMMUNITY AWARDS 2011 HAWAII STATE HONOREES AND 2011 HAWAII STATE DISTINGUISHED FINALISTS," was offered by Representative Riviere.

Representative Riviere moved that H.R. No. 290 be adopted, seconded by Representative Coffman.

Representative Riviere congratulated 2010 Miss Hawaii, Ms. Jalee Fuselier, and commended her on her many accomplishments and volunteerism in service to our community.

Representative Riviere then congratulated the Hawaii winners of the Prudential Spirit of Community Award for 2011, recognized for their outstanding service to others, who were seated on the Floor of the House.

Representative Riviere introduced Ms. Carly Button, an 8th grade student at Hawaii Technology Academy, 2011 Hawaii State Honoree and silver medallion middle school recipient.

Seated in the gallery were Ms. Button's family: Parents, Mr. Mark and Mrs. Diane Button; brother, Mr. Jack Button; sister, Ms. Hannah Button; grandmother, Mrs. Rosemary Steiss; and aunt, Ms. Linda Polasek.

Representative Coffman then introduced Ms. Natalie Mohr, a senior at Kealahou High School, 2011 Hawaii State Honoree and silver medallion high school recipient.

Seated in the gallery were Ms. Mohr's family: Parents, Mr. Sanford and Mrs. Tina Mohr; sister, Ms. June Mohr; brother and sister-in-law, Mr. Bubbah and Mrs. Luran Mohr; and *hawai* mom, Ms. Ann Goody.

Representative Riviere introduced Ms. Richel Marie Cole, a senior at Sacred Hearts Academy, 2011 Hawaii State distinguished finalist and bronze medal recipient.

Seated in the gallery were Ms. Cole's parents, Mr. Ricardo and Mrs. Elisa Cole.

Representative Ching then introduced Mr. Kyle Nakatsuka, a senior at Kamehameha, 2011 Hawaii State distinguished finalist and bronze medal recipient.

Seated in the gallery were Mr. Nakatsuka's family: father, Mr. Craig Nakatsuka; and grandmother, Mrs. Florence Loo.

The motion was put to vote by the Chair and carried, and H.R. No. 290 was adopted, with Representatives Cabanilla, Har and Thielen being excused.

At 12:36 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:44 o'clock p.m.

## REPORTS OF STANDING COMMITTEES

Representatives Cabanilla and Chang, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1020) recommending that S.B. No. 1394, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 1394, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Jordan

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1394, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representatives Cabanilla and Chang, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1021) recommending that S.B. No. 904, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 904, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Pine  
Vice Speaker Manahan

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 904, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representatives Cabanilla and Chang, for the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1022) recommending that S.B. No. 912, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 912, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1023) recommending that S.B. No. 1290, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1290, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1024) recommending that S.B. No. 985, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 985, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1025) recommending that S.B. No. 806, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 806, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1026) recommending that S.B. No. 1281, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1281, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1027) recommending that S.B. No. 1375, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1375, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1028) recommending that S.B. No. 1485, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1485, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECONSTITUTING SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representatives Souki and Herkes, for the Committee on Transportation and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1029) recommending that S.B. No. 1326, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 1326, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COSTS OF RELOCATION AND UNDERGROUNDING OF UTILITY FACILITIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representatives Souki and Herkes, for the Committee on Transportation and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1030) recommending that S.B. No. 98, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 98, SD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER CARRIERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1031) recommending that S.B. No. 1416, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1416, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cabanilla and Har being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1032) recommending that S.B. No. 1190, SD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1190, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMOBILE PERSONAL INJURY LIMITATIONS," passed Second

Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Cabanilla and Har being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1033) recommending that S.B. No. 124, SD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 124, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Cabanilla and Har being excused.

Representatives Chang and Tsuji, for the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1034) recommending that S.B. No. 142, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 142, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Hanohano

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 142, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DAMS AND RESERVOIRS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1035) recommending that S.B. No. 655, SD 1, pass Second Reading and be referred to the Committee on Finance.

\* On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 655, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1036) recommending that S.B. No. 1549, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1549, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Hanohano  
Rep. McKelvey  
Rep. Brower  
Rep. C. Lee  
Rep. Riviere

TO BE INSERTED: Rep. C. Lee  
(Submit by Monday, March 28)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1549, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1037) recommending that S.B. No. 1555, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1555, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Hanohano  
Rep. Jordan

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1555, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1038) recommending that S.B. No. 119, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 119, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Hanohano  
Rep. Jordan  
Rep. C. Lee

TO BE INSERTED: Rep. C. Lee  
(Submit by Monday, March 28)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 119, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC BUILDINGS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1039) recommending that S.B. No. 1215, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1215, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Hanohano

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1215, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1040) recommending that S.B. No. 125, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 125, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Jordan  
Rep. Hanohano  
Rep. Ching

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 125, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1041) recommending that S.B. No. 126, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 126, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1042) recommending that S.B. No. 127, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 127, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING A GRANT FOR THE ESTABLISHMENT AND OPERATION OF A COMPREHENSIVE DEAF CENTER," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representatives Coffman, Cabanilla and Chang, for the Committee on Energy & Environmental Protection, the Committee on Housing and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1043) recommending that S.B. No. 181, SD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 181, SD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Ward

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 181, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PHOTOVOLTAIC-READY NEW RESIDENTIAL HOMES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Cabanilla and Har being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1044) recommending that S.B. No. 1295, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1295, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Rhoads

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1295, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSION RULES," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1045) recommending that S.B. No. 155, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 155, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC

TRAINERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1046) recommending that S.B. No. 1279, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1279, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Marumoto

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1279, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1047) recommending that S.B. No. 52, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 52, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Fontaine

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 52, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF SEX OFFENDERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1048) recommending that S.B. No. 1073, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 1073, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Marumoto  
Rep. B. Oshiro  
Vice Speaker Manahan

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1073, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SURCHARGE FOR INDIGENT LEGAL SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representative Marumoto voting no, and with Representatives Cabanilla and Har being excused.

Representative Cabanilla, for the Committee on Housing presented a report (Stand. Com. Rep. No. 1049) recommending that S.B. No. 714, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 714, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL REAL PROPERTY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Cabanilla and Har being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1050) recommending that S.B.

No. 573, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 573, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1051) recommending that S.B. No. 815, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that S.B. No. 815, SD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Ward  
Rep. Thielen  
Rep. McKelvey  
Rep. Keith-Agaran  
Vice Speaker Manahan

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 815, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSET FORFEITURE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cabanilla and Har being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1052) recommending that S.B. No. 285, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 285, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Herkes

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 285, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1053) recommending that S.B. No. 1300, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1300, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Yamane, for the Committee on Health presented a report (Stand. Com. Rep. No. 1054) recommending that S.B. No. 797, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 797, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTH INFORMATION TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1055) recommending that S.B. No. 34, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 34, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX APPEALS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cabanilla and Har being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1056), recommending that H.R. No. 38, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 38, HD 1, entitled: "HOUSE RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS; DEEM MIGRANTS ELIGIBLE TO RECEIVE FEDERALLY FUNDED FINANCIAL AND MEDICAL ASSISTANCE; AND PROVIDE DIALYSIS AND CHEMOTHERAPY CENTERS IN MICRONESIA AND ALL AREAS WITHIN THE COMPACT OF FREE ASSOCIATION NATIONS," was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1057), recommending that H.C.R. No. 44, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 44, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS; DEEM MIGRANTS ELIGIBLE TO RECEIVE FEDERALLY FUNDED FINANCIAL AND MEDICAL ASSISTANCE; AND PROVIDE DIALYSIS AND CHEMOTHERAPY CENTERS IN MICRONESIA AND ALL AREAS WITHIN THE COMPACT OF FREE ASSOCIATION NATIONS," was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1058), recommending that H.C.R. No. 5, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 5, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON WHETHER THE GOALS AND OBJECTIVES OF HAWAII'S SEX OFFENDER LAWS ARE BEING MET AND WHETHER SEX OFFENDER LAWS ARE BEING IMPLEMENTED IN THE WAY THEY WERE INTENDED," was referred to the Committee on Judiciary, with Representatives Cabanilla and Har being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1059), recommending that H.C.R. No. 46, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R.

No. 46, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO ADOPT POLICIES THAT REDUCE THE HARM CAUSED BY THE SALE AND DISPLAY OF TOBACCO," was referred to the Committee on Finance, with Representatives Cabanilla and Har being excused.

#### SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain Senate Bill for Third Reading by consent calendar. (Representatives Cabanilla and Har were excused.)

#### THIRD READING

##### S.B. No. 123, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, S.B. No. 123, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RECORDS," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla and Har being excused.

At 1:04 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 123, SD 1

#### ANNOUNCEMENTS

At 1:05 o'clock p.m. Representative Rhoads requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:05 o'clock p.m.

REMARKS DELIVERED:     Rep. Rhoads  
                                 Rep. Evans  
                                 Rep. Ward

#### COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

<u>S.B. No.</u>	<u>Re-referred to:</u>
1522, SD2, HD1	Committee on Economic Revitalization & Business, then to the Committee on Finance

#### ADJOURNMENT

At 1:08 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 23, 2011. (Representatives Cabanilla and Har were excused.)